

ENVIRONMENTAL CONSULTATION PROTECTION FOR HISTORIC PROPERTIES

NEW YORK STATE HAS A WEALTH OF HISTORIC RESOURCES WHICH HAVE SPECIAL CHARACTER AND SIGNIFICANCE. ENVIRONMENTAL CONSULTATION IS A PLANNING PROCESS THAT HELPS PROTECT HISTORIC RESOURCES FROM THE IMPACTS OF GOVERNMENT-ASSISTED PROJECTS.

The Division for Historic Preservation serves as the State Historic Preservation Office (SHPO) and coordinates a variety of state and federal historic preservation programs. These include the identification, registration and protection of historic resources through the Survey, National Register, Environmental Consultation and Certified Local Government programs.

Far from playing a static role, these preservation programs bolster tourism, encourage investment in historic resources, and assist community growth and development through planning.

SHPO promotes rehabilitation through financial incentives offered by the Historic Preservation Tax Credit program and Environmental Protection Fund grants. Staff provide technical preservation advice to owners of historically and culturally significant properties.

The Division identifies historic resources and develops preservation approaches to protect those resources. We conduct thousands of federal, state and local reviews each year for projects that receive funding or require permits from state and federal agencies.

What is environmental consultation?

Environmental consultation is a planning tool. It ensures that historic preservation is carefully considered in the planning

stages of a publicly-funded and permitted projects. In conducting a review, we examine the impact a proposed project will have on buildings, neighborhoods, landscapes and archaeological sites which are listed or eligible for listing on the National Register of Historic Places.

What laws guide the consultation process?

There is legislation which requires environmental consultation for each level of government:

- Section 106 of the National Historic Preservation Act of 1966 directs federal agencies to consider historic resources in their project planning.
- Section 14.09 of the State Preservation Act of 1980 establishes a parallel law for state agencies.
- The State Environmental Quality Review Act (SEQRA) of 1978 initiated local environmental review process for municipalities.

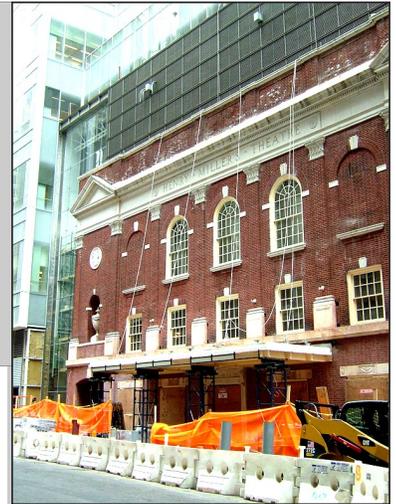
What projects are subject to consultation?

All state and, federal agencies that fund, license or approve projects must consult with us to identify historic resources in their project areas and determine the effect their projects will have on those resources. Local lead agencies and governments are required to consider impacts as well and can seek our advice on proposed actions under SEQRA review.

What types of projects are reviewed?

The Division reviews virtually all types of projects, from housing rehabilitation to road improvements to new construction.

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Empire State Development Corporation's redevelopment project in midtown Manhattan would have demolished the Henry Miller Theater. Project consultation under Section 14.09 resulted in the preservation of a significant portion of the historic theater and its incorporation into the renewal plans.



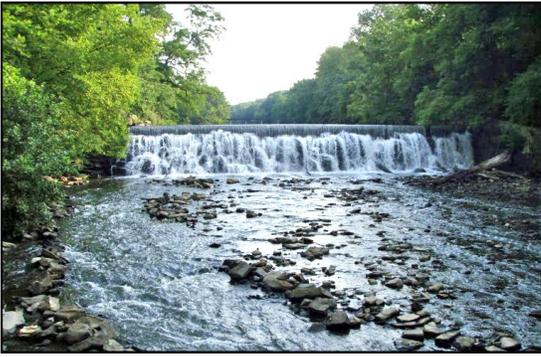
New construction or expansion projects are reviewed to determine possible impacts on archeological and historic resources



Rehabilitation of the Oswego Library was partially funded by an Environmental Protection Fund grant. The project consultation considered the design of an addition that was distinct, yet related well to the historic structure.



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Review of a project to construct fish ladders at an historic dam across the Bronx River ensured that the work successfully combined the preservation of the natural and built environments.

Does this review apply to privately-funded projects?
Whenever a privately funded project needs state or federal permits or approval, SHPO

How can I get preservation guidance?

Having worked on a number of exciting and challenging projects all around the state, SHPO staff draw on an extensive body of information and experience to offer professional advice on the preservation, maintenance and rehabilitation of historic resources. It is a good idea to contact us before plans are drawn and especially before any construction work begins.

How do I submit a project for review?

The Cultural Resources Inventory System, or CRIS, is an all-online process for consultation project reviews. A link to the system and a link to a tutorial on our website is at www.nysparks.com/shpo/online-tools/. While you can submit projects as a guest, registering will save time in the future if you are going to be working with the system on a long term basis. Once in CRIS, begin by using the “Submit” tab on the landing page and choosing “Consultation Project.” For assistance using CRIS, contact the help desk at CRISHelp@parks.ny.gov.

What types of projects are reviewed by the Environmental Management Bureau (EMB)?

If your project involves or is adjacent to New York State parkland, a separate review may be required by the NYS Parks Environmental Management Bureau. Guidelines are available at www.nysparks.com/environment/environmental-management.aspx.

For more information

Visit www.nysparks.com/shpo/ to learn more about the Environmental Review process, National Register, survey projects, tax credit programs and other SHPO programs.

The **CRIS database** provides information about known historic and archaeological resources in New York State: www.nysparks.com/shpo/online-tools/.

National Park Service (NPS) publications cover extensive preservation topics, including technical issues on building materials, rehabilitation and repairs:

www.nps.gov/tps/how-to-preserve/by-topic.htm.

The NPS **National Register** website has guidelines on criteria for listing properties: www.nps.gov/history/nr/.

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An Equal Opportunity/Affirmative Action Agency *This material has been financed in part with Federal funds from the National Park Service, Department of the Interior. However, the contents and opinions do not necessarily reflect the views or policies of the Department of the Interior. This project has been administered by the Field Services Bureau, Division for Historic Preservation, New York State Office of Parks, Recreation and Historic Preservation. This bureau receives Federal funds from the National Park Service, Department of the Interior. Regulations of the U.S. Department of the Interior strictly prohibit unlawful discrimination in departmental Federally Assisted Programs on the basis of race, color, national origin, age, or handicap. Any person who believes he or she has been discriminated against in any program, activity, or facility operated by a recipient of Federal assistance should write to: Director, Equal Opportunity Program, U.S. Department of the Interior, National Park Service, P.O. Box 37127, Washington, D.C. 20012-7127.* 12/16

must review the project. Additionally, certain projects may be subject to SEQRA review if local agency permits or approvals are needed.

How does the consultation process work?

The Division evaluates the work performed using federal preservation standards and provide recommendations to the involved agencies. We work closely with owners and agencies to make certain that the overall project is appropriate and does not detract from the special character of the historic resource. In some cases, we look at reasonable alternatives or develop mitigation measures to help reduce or avoid negative effects.

Reviews are conducted in two stages. The first determines whether a property is listed or is eligible for listing in the New York State or National Registers of Historic Places. If listed or determined eligible for listing, then staff will consider whether the proposed action/project will have an impact/effect on the qualities of the property that make it eligible.

When is an archaeological consultation required?

When a project causes ground disturbance, such new construction or the significant expansion of existing buildings, the project will also be reviewed by the Archeology Unit staff who determine whether the project site falls within a known area of archeological sensitivity. If so, they will request phased surveys to determine if archeological sites are present and the extent of the project’s potential impact. Review for archeological resources is an important aspect of environmental review and can take some time to complete. Project partners should consider the potential archeological resources early in the planning process.

How long does the process take?

SHPO staff have 30 days to respond to a project, beginning from the date when a submission is *received*. If additional information is required or revised plans need to be submitted and reviewed, the process can take up to 30 days for *each* subsequent submission.